

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

THE TRUSTEES OF
PURDUE UNIVERSITY,

PLAINTIFF,

v.

STMICROELECTRONICS N.V., ET AL.,

DEFENDANTS.

6:21-CV-00727

OPPOSED MOTION FOR A FOUR-DAY EXTENSION OF TIME

STMicroelectronics N.V. (STNV) moves the Court for a brief four (4) day extension of time up to and including December 3, 2021, to file its reply in support of its Motion to Dismiss for Lack of Personal Jurisdiction. STNV filed its Motion to Dismiss for Lack of Personal Jurisdiction on November 8, 2021. Plaintiff filed its response on Monday, November 22, making STNV's reply due the Monday after the Thanksgiving holiday, November 29. The undersigned was responsible for preparing and filing the reply. Unfortunately, beginning on Tuesday afternoon, November 30, the undersigned had a serious personal family matter that required the undersigned to briefly travel out of town and to disconnect from work for the remainder of the week of Thanksgiving and the weekend of November 27-28. On the due date, Monday November 29, the undersigned attempted to catch up on work and missed that the reply brief was due that same day. Unfortunately, the paralegal assigned to the case, who normally ensures that the litigation team receives reminders of upcoming deadlines, had a death in the family and was unexpectedly out of the office as well during this time period.

On Tuesday morning, November 30, the undersigned realized that the deadline for filing the reply brief was the previous day, immediately reached out to counsel for Purdue via email

requesting a brief extension, and followed up with a phone call several hours later. Counsel for Purdue did not respond on November 30. The parties had discussions on the morning and afternoon of December 1 regarding the requested extension and other issues.

During the late afternoon call on December 1, counsel for Purdue indicated that it was opposed to a brief extension of time to accommodate the undersigned's personal family issues. Purdue's counsel stated that the basis for its objection was that this was a dispositive motion. STNV contends that because this is a dispositive motion, the Court should have the benefit of STNV's reply brief in order to analyze the context and case law surrounding Purdue's opposition. Having STNV's reply brief will help ensure that the Court has the full analysis and case law surrounding STNV's motion to dismiss for lack of personal jurisdiction—an important and dispositive issue. Purdue has not identified any prejudice that would occur by permitting STNV to file its reply brief four days after the original deadline.

STNV seeks this extension for good cause, and not for purposes of delay. STNV contends that good cause exists to justify a brief four-day extension of time to file its reply brief given the undersigned's serious personal family obligations and the Thanksgiving holiday. Accordingly, STNV respectfully requests that the Court grant this brief extension.

Dated: December 2, 2021

Respectfully submitted:

By: /s/ Justin S. Cohen

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CERTIFICATE OF CONFERENCE

I certify that on November 30, 2021, I emailed and left a voicemail for Sam Joyner, counsel for Plaintiff, but received no response. Counsel for Plaintiff and Defendants had a telephonic meet-and-confer in the morning on December 1, 2021, and discussed the requested extension, but Purdue did not provide its position. Finally, around 5pm on December 1, 2021, I had a call with counsel for Purdue, Sam Joyner, who indicated that Purdue opposed the requested extension.

/s/ Justin S. Cohen

Justin S. Cohen

CERTIFICATE OF SERVICE

I certify that on December 2, 2021, the foregoing document was electronically filed with the Clerk of the Court using CM/ECF, which sent notice of filing to all case participants.

/s/ Justin S. Cohen

Justin S. Cohen

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ORDER

Before the Court is Defendant STMicroelectronics N.V.'s Opposed Motion for a Four-Day Extension of Time to file STMicroelectronics N.V.'s reply in support of its Motion to Dismiss for Lack of Personal Jurisdiction. Having considered the motion, the Court is of the opinion that good cause exists to justify a brief four-day extension of time. Accordingly, the motion should be, and hereby is, **GRANTED**.

It is therefore **ORDERED** that the deadline for STMicroelectronics N.V. to file its reply in support of its Motion to Dismiss for Lack of Personal Jurisdiction is extended up to and including December 3, 2021.

IT IS SO ORDERED:

Dated: _____, 2021

Alan D. Albright
United States District Judge